

***United States Court of Appeals
for the Second Circuit***



EXHIBITS

Designated Respondent Exhibits

RESPONDENT'S EXHIBITS

<u>Exhibit</u>	<u>Description</u>
11	Issue of Hollywood Reporter dated May 10, 1973 with front page article by Will Kusher entitled "WGA Repeals Blacklist ETCN."
12	Agenda, Procedural Rules and Ballot for WGA Meeting on 11/12/73.
15	WGA Letter Regarding Proceedings at 11/12/73 Meeting.
16	WGA Letter Regarding Stay of Proceedings, dated 12/7/73.
17	Robert Blees Personal Service Contract (2 letters).
18	Hollywood Reporter article, dated 11/27/73, entitled "All Expulsions, Suspensions Vetoed by WGA."
19	Daily Varsity article, dated 11/27/73, entitled "WGA Cuts Strike Fines, But Hyphenates Protest Payment Would Be Admission of Guild."
20	Hollywood Reporter article, dated 12/7/73, entitled "WGA Acts to Postpone Hyphenate Prosecution."
21	Daily Variety article, dated 12/7/73, entitled "WGA Puts Brakes On Actions Against Fined Hyphenates."

ONLY COPY AVAILABLE

THE HOLLYWOOD REPORTER

Vol. CCXXVI, No. 15

Hollywood, California, Thursday, May 10, 1973

Price 15¢

WGA REPEALS BLACKLIST RULE AS BOTH SIDES INSIST STRIKE ACCORD MOMENTUM NOT LOST

By Will Tusher

In what is seen in part as an effort to blunt pending National Labor Relations Board charges by the Association of Motion Picture and Television Producers, strike rule 30—the so-called blacklist rule—has been repealed by the board of directors of Writers Guild of America, West.

Another hopeful strike development came yesterday as spokesmen for the WGA and the AMPTP found a new area of agreement in separate statements calling for an end to speculation on how long it will take to finalize an accord. Both reaffirmed belief that the negotiations have decided an conclusive stage.

The decision to rescind strike rule 30—taken by the board April 30—was revealed yesterday in a letter by WGA president Ronald MacDougall to the membership. Under the abrogated rule, members were forbidden to work with anyone suspended or disciplined for violation of strike rules.

New charges—or amendments to previous complaints—are known to have been prepared by the AMPTP as an aftermath of an earlier guild statement (Hollywood Reporter 4/16/73) announcing trial dates for eight hyphenates accused of crossing picket lines.

"Those convicted," the WGA then declared, "will appear on a 'roll of dishonor' and be listed in guild publications in perpetuity so that guild members for years to come will never forget. A guild spokesman characterized those members guilty of scabbing as 'pariahs who have betrayed their colleagues.'"

A guild official who participated in the board revocation of rule 30 said yesterday he was not certain whether plans for the roll of dishonor would be abandoned in view of the action to avoid the appearance of blacklisting.

"What it does affect," he noted, "is the rule itself which would make it mandatory, and that, of course, was what the letter (MacDougall's) was about."

Meanwhile, a report of massive

Killian Heads Board At CPB, UA Proxy Now Vice-Chairman

Washington — Dr. James R. Killian Jr. was named new chairman for the Corporation for Public Broadcasting, replacing recently resigned Thomas B. Curtis.

United Artists president Robert Benjamin was named vice-chairman of the CPB board, and Donald R. Quisile, president of National Public Radio, senior v-p for broadcasting at the corporation.

Killian, who has been vice chairman of the CPB Board, directed the Carnegie Commission on Educational TV in the late 1960's, which led to the 1967 Public Broadcasting Act, which established the CPB. He was an

strike-related layoffs at Universal, with the casting department assertedly hardest hit, met with terse denial from Sid Sheinberg, president of Universal Television. He said any dismissals at the studio would be "seasonal in nature" because of shows which would be normally out of production at this time of the year. He indicated that even those job casualties would be back at work in a month or so when "a number of shows" are targeted to go back into production. He insisted no permanent employees have been laid off because of the writers' strike.

"Not only is that not true," Sheinberg declared. "We haven't laid off," (Continued on Page 13)

Neil Simon Completes 13th Stage Play Page 2
Animators Stuck With No Pact or Strike Page 3
Andy Griffith Sets Another Series Try Page 5

COLUMBIA OPERATIONS MERGE, 15 LOSE JOBS IN N.Y., BURBANK

By Ralph Kaminsky

Consolidation of jobs and personnel in various departments and divisions of Columbia Pictures has led to the dismissal or retirement of 15 executives and employees and the New York office.

"We are merging departments for very best advantage in divisions in order to eliminate duplication of effort," said Robert Ferguson, head of global advertising and chief officer, reportedly way to the West Coast yet could not be reached for comment.

Overall, at least nine executives had been given by yesterday, with four occurring in New York last

Saying that the cutback result of a reorganization Ferguson indicated that it may sweep across all Columbia Industries, in television setup.

LAUGHLIN IN BUSINESS COMBINE PUSH FOR 'BILLY JACK'

By Will Tusher

John H. Rubel, senior v-p of Litton Industries and former Assistant Secretary of Defense under President Kennedy, is reportedly on the verge of accepting an offer to head up the expansion minded mini-entertainment conglomerate of Tom Laughlin and his wife, Delores Taylor.

Largely motivated by the success of their Warner release, "Billy Jack" — which has grossed more than \$10 million domestically, and is eyeing more U.S. millions in current re-release — a sweeping reorganization is understood to have been set in motion by the couple's parent company, National Student Film Corp., doing

business as Billy Jack Productions.

It is understood that Laughlin is putting together a high management combine in which would be joined by Mike MacDowell, head of the powerful Cleveland International Management, which represents top celebrities and other walks of life, Arnold Palmer, Rod Laver, Gary Peter Revson, Frank Robinson, MacDowell and Vidal Sassoon.

One scenario around town has Rubel and McCormick, the Matthew B. Rosenhaus, whose outstanding shares make largest stockholder in Columbia Industries, on whose

Laughlin, apprised of the through an intermediary, refused. "There's some truth to it," he said, "but declined further

(Continued on Page 11)

Warner Cable Ready To Pay \$20 Million Sterling Franchise

Warner Communications Inc. is ready to acquire Manhattan and Los Angeles cable franchises from Communications Inc. for \$20 million cash under an agreement in

NATIONAL LABOR RELATIONS BOARD
31-CB-1203-2 et al
Docket No. _____ OFFICIAL EXHIBIT NO. RX-11
Disposition { Identified _____
Received _____
Rejected _____
In the matter of Writers Guild
Date 6/13/73 Witness _____ Reporter WED
No. Pages 16

THE REPORTER

WGA Repeals Blacklist Rule

(Continued from Page 1)

to the best of my knowledge—and bear in mind I could be in error—a secretary of a hyphenate or writer who is not at work."

A call by a WGA spokesman for a moratorium on second guessing the

negotiations was matched with an echoing observation by Sheinberg.

"There are people working very hard to bring this to a conclusion," he states, "and I think we're in a phase right now where the less that people say and the more they try to get done, the better off we're all going to be."

A high WGA official who himself has voiced and reaffirmed optimism, albeit open ended, yesterday persisted in his assertion that nothing has occurred either over the weekend or in recent days to diminish prospects of an early, if not time pinpointed settlement.

"I think all this speculation about (negotiations being) promising or unpromising within a certain period of time doesn't make a hell of a lot of sense," he declared. "I said . . . the other day what I feel, and I continue to feel it—that I think it's optimistic. I think that when two sides are talking—and they are talking about the issues—that that's an optimistic sign. When it's pessimistic is when you're not talking, or when you're not discussing the issues."

MacDougall, in his letter on revocation of rule 30, stressed that the move did not represent a softening of guild determination to discipline members who fail to discharge strike obligations. He pledged that strike violators would be prosecuted "as vigorously as the law and good union principles permit."

"Because the old rule could be misconstrued to mean that the guild was maintaining an improper sanction, a matter of anathema to this guild," he declared, "the board . . . rescinded old rule 30. . . . This action was taken voluntarily, in the belief that disciplinary measures remain available to the membership, and trial committees."

He listed those as fines, expulsion and "other sanctions."

However, MacDougall expressed "the conviction that even in pursuit of strike discipline, members of this guild do not wish to be part of an action which carries the odious implications of a 'blacklist.'"

The new rule 30 empowers the board to delegate enforcement of the 29 standing strike rules to such committees as it may wish.

Intensive offshoot meetings — described as "sidebarring" — continued yesterday between the WGA and the AMPTP. The WGA spokesman insisted there was no suspension or breakdown of talks Monday, as reported elsewhere. Discussions have been sustained without a day's respite since their resumption Tuesday, May 1, he said.

As discussions with AMPTP went on, the WGA signed 11 more companies to its independent agreement, bringing the steadily soaring total to 126. One of the signatories, Sheldon Leonard Productions, is the eighth AMPTP member to break ranks.

Latest companies to come aboard are two more Sheldon Leonard firms, Sheldon Leonard Enterprises and Franshell Productions; Jerome Hellman Productions and Locust Productions, both owned by Hellman; Viacom's VSC Enterprises, headed by Willard Black and Richard S. Reisberg; Albert Band and Associates; Joel Freeman Productions; Charles E. Sellier Jr.'s Cava Films; Andrew L. Stone Inc.; and Certified Equities Productions, headed by Victor Meschere.

—Will Tusher

'Bad Charlie'

(Continued from Page 3)

a corrupt sheriff and his pushy wife.

John Carradine comes on screen, bringing pace, style and outrageous humor to the proceedings, quailing from the classics with mock ease, looking sullenly at the other performers. He brings the movie to life but he's only on for five minutes or so.

Walter Thompson, one of the finest editors in Hollywood, is billed as editorial consultant. Richard Garratt was the film editor. Raymond Markham's art direction is catch-as-catch-can. Michael Neyman's photography is sometimes professional.

—Alan R. Howard

'Doll's House'

(Continued from Page 3)

principal performers is inventive and sure but he handles the plot awkwardly. The mechanics of filmmaking elude him, and most of the film is in two-shots or close-ups. Sometimes the actors declaim as if they're performing in the theatre.

The movie also fails to illuminate the character of Nora's friend Kristine, played by that fine actress Anna Massey whose scenes are flat and puzzling. Her decision to offer herself to Nora's blackmailer makes no organic sense in the film's approach to the play. Denholm Elliott, as the petty bank clerk who lends Nora money and then betrays her, successfully shows the character's sadness as well as villainy.

Edith Evans appears briefly as the nurse of Nora's children. Her one big scene is a veritable lesson in diction, disciplined emotion and technical economy.

Arthur Ibbetson's photography is serviceable but John Glen's film editing is abrupt and unmodulated. Elliot Scott's art direction doesn't give meaning and character to Nora's house. Beatrice Dawson's costumes are okay. John Barry's music is too sentimental for the darkness of the interpretation.

This movie is the first of two filmed versions of "A Doll's House." Next up, later this month, are Jane Fonda and Joseph Losey. —Alan R. Howard

Curtain Calls

(Continued from Page 12)

Lake Summer Theatre for a 10-week season. For audition and information call (714) 879-6545 or write 121 E Hermosa Drive, Fullerton, Cal. 92635.

STAGE OPENINGS

Theatre West (851-4839), 3333 Cahuenga Blvd. West, opens tomorrow night with Allen Joseph's new comedy, "A Day in Venice, Etcetera." The show will play through May 27, with performances on Fridays at 8:30 p.m. and Sundays at 5 p.m.

The South Coast Repertory (714 646-0364), 1827 Newport Blvd., Costa Mesa, opens tomorrow night with "In the Midst of Life," a new musical based on the life and work of Ambrose Bierce, by Ron Thronson, Toni Shearer and Bryant McKernan. Performances are Fridays through Sundays at 8 p.m. through June 23.

The Westside Jewish Community Center (939-2531), 5870 W. Olympic Blvd., will present "Mr. Sholem Aleichem," a musical by Bill Miller and Sonny Vale, opening Saturday at 8:30 p.m. The production plays through May 20, but curtain times vary so call theatre for schedule.

Mark to Star 'Solitaire'

Lloyd has signed Susan Dey opposite Richard Crenna of Wood Television Theatre of Robert Anderson's "Solitaire," taping later this week. Paul Bogart directs, Manulis producing.

HORT TAKES

HELP WANTED

RECEPTIONIST

Prod. Co. seeking young, attractive female. Typing required. 553-3600

HELP WANTED

ACCOUNTING MANAGER

for small (4-person) office in publishing company. Knowledge of EDP valuable. 465-7017

PBX - SWITCHBOARD OPERATOR

for busy motion picture company. Typing required, and must handle pressure and emergencies. Helen — 273-3800

PROFESSIONAL SERVICES

SCRIPTS

T.V. - Stage - Com. Future Ideas - Synopses, Screenplays - Developed. Magic Pro. 876-2939

DWELLERS ONLY

own DAILY maid service. LOW RATES FROM \$30. 295-5601

FOR SALE

FOR SALE BURROUGHS Sense-Matic Control Series E1000 1000 New — Best Offer Call — 465-7017

SCCELLANEOUS

FOR RENT

19 SUNSET BOULEVARD Deluxe Office Suite. Approximately 1000 sq. ft. Carpeted, parking. Owner — GABE BARNETT CR. 1-4448 8969 Sunset

SECRETARY

Hollywood Television production company, diversified fast-moving organization, needs secretary with good skills who can organize and maintain excellent records, and is accustomed to working with top management. Excellent fringe benefits. Salary open.

Call 469-8319

TV REP NEEDS

a second girl. Typing a must. Knowledge of the broadcasting business a must. 933-5907

PRESSMAN EXPERIENCED

1250 MULTILITH 653-2103

TRY a few lines in these **SHORT TAKES** Columns . . . You'll like the **LONG RESULTS!!!**

FULL CHARGE BOOKKEEPER, TYPIST

One Girl Office, Public Relations Personality for Client Dealings . . .

Call For Appointment: 682-2353 —or— 682-3611

JOHN J. HENNESSY MOTION PICTURES

900 PALM AVENUE SOUTH PASADENA, CALIFORNIA

SITUATION WANTED

PERMANENT PART-TIME SECRETARY

Top executive secretary with 8 years experience seeking half-day employment.

Call (213) 257-2975

October 26, 1973

REMINDER OF SPECIAL MEMBERSHIP MEETING

DATE: Monday, November 12, 1973
PLACE: BEVERLY HILTON HOTEL (Grand Ballroom)
TIME: 8:00 p.m.
AGENDA: Disciplinary Matters - Appeals to the Membership

The appeals of the following members in the order listed will be heard.

<u>MEMBER</u>	<u>RULE(S) FOUND VIOLATED</u>	<u>DISCIPLINE IMPOSED</u>
Robert Blees	Strike Rules 12 & 13	Expelled and fined \$25,000 plus the costs of the hearing.
Jon Epstein	Strike Order and Strike Rules 1, 12 & 13	Expelled and fined \$2,000 plus the costs of the hearing.
John Mantley	Strike Order and Strike Rules 1, 12 & 13	Expelled and fined \$50,000 plus the costs of the hearing.
Herman Saunders	Strike Order and Strike Rules 1, 12 & 13	Expelled and fined \$100 plus the costs of the hearing.
David Victor	Strike Order and Strike Rules 1, 12 & 13	Expelled and fined \$50,000.
Hugh Benson	Strike Rule 12.	Suspended for a period of 2 years and fined \$100 plus the costs of the hearing.
Robert Cinader	Strike Order and Strike Rules 1, 12 & 13	Suspended for a period of 3 years and fined \$5,000 plus the costs of the hearing.
Barry Crane	Strike Order and Strike Rules 1, 12 & 13	Expelled and fined \$10,000 plus the costs of the hearing.
David Levinson	Strike Order and Strike Rules 1, 12 & 13	Suspended for a period of 2 years and fined \$10,000 plus the costs of the hearing.
Cy Chermak	Strike Order and Strike Rules 1, 12 & 13	Suspended for a period of 2 years and fined \$7,500 plus the costs of the hearing.

Resp. Exhibit 12

October 26, 1973

FORMS OF DISCIPLINE

THEIR LIMITS AND EFFECTS

Article X of the Guild's Constitution and By-Laws provides:

Any member of the Guild who shall be found guilty, after a hearing conducted in accordance with the procedures herein prescribed...may be suspended, declared not in good standing, expelled from membership in the Guild, be asked to resign or in lieu thereof, or in addition thereto, he may be censured, fined or otherwise disciplined. (Emphasis added.)

A brief explanation of these terms is as follows:

EXPULSION. Expulsion is generally considered the severest form of union discipline. It strips the individual, for an indefinite period of time, of all rights enjoyed exclusively as a member of the Guild. An individual who has been expelled from membership in the Guild would not have the right to vote on any Guild matters, attend membership meetings, receive Guild mailings, participate on Guild committees, hold or run for office in the Guild, or participate in the Credit Union (unless he is already a member in which case membership in the Credit Union will continue to be extended to him). There is obviously a stigma attached to expulsion which might cause individual members of the Guild to refrain from working with such a person. The Guild itself cannot order its members to refrain from working with an individual merely because he has been expelled. Moreover, the Guild cannot prevent an expelled individual from working in any capacity, including that of a writer. Although the Guild has in its collective bargaining agreements what is generally called a "union security clause" which requires union membership after a period of 30 days, the federal law prohibits a union to cause or attempt to cause an employer to terminate an employee for any reason other than his failure to tender periodic dues and initiation fees. Thus an expelled individual may continue to work as a writer, even for signatory companies. He will not pay dues to the Guild or necessarily comply with its rules or regulations. His employment must be at least at the minimums set forth in the collective bargaining agreement, as he is entitled to benefits and protections of the collective bargaining agreements, i. e., minimums, residuals, credits, pension, health and welfare, and grievance and arbitration.

If the expelled individual desired to regain membership in the Guild he would have to reapply and such application could be accepted or rejected by the Board of Directors.

SUSPENSION. Suspension is generally considered a less severe form of union discipline. It has the same effects as expulsion, explained above, except that it

(see over)

is for a definite period of time, i.e., 6 months, 1 year, 2 years, etc. Once the period of time has lapsed the individual may remain a non-member of the Guild without the obligation to pay dues or to comply with the Guild's rules and regulations as long as he does not perform work within the Guild's jurisdiction. However, as soon as he resumes writing for a signatory company he must comply with the "union shop" provisions ("union security clause") of the collective bargaining agreement and rejoin the Guild. If he fails to tender his dues the Guild may require the employer to terminate the individual (at least with respect to his writing services).

FINES. Fine is a recognized form of union discipline although there are sometimes certain problems associated with it, particularly in their collection. Fines levied by a union may be legally enforceable in a court of law provided the individual has been accorded a fair and impartial hearing and has not otherwise been denied due process of law. Their collection can be a costly and lengthy process. Courts sometimes prefer expulsion or suspension as a method of union discipline.

A major question considered by the courts is the reasonableness of the fine. The law is not definite as to what constitutes a reasonable fine, the National Labor Relations Board and the courts having bandied the issue back and forth for the last few years. It now appears that the U. S. Supreme Court has decided that the issue of reasonableness is for the courts to decide and not the National Labor Relations Board. Courts may be harsher in this matter than the Board would have been.

CENSURE. Censure is an official reprimand, has no effect upon a person's Guild membership.

DECLARED NOT IN GOOD STANDING. This is a form used by the membership department to advise a member of his impending suspension for failure to pay dues. Actually this has no effect on his membership status unless within a prescribed period of time he fails to tender his dues in which case he will be suspended. Thus, the real discipline is suspension.

RESIGNATION. The request for resignation may be coupled with the threat to expel from membership, but in such a case the actual form of the discipline is expulsion and not resignation. A request that a member resign would be somewhat equivalent to Censure. Whether the member then does resign would be a matter for his conscience.

October 26, 1973

PROCEDURAL RULES FOR SPECIAL MEMBERSHIP MEETING

NOVEMBER 12, 1973

The Board of Directors has adopted the following rules to govern procedure relating to appeals of disciplinary matters:

- 1) The Executive Director for the Board will request the Chairmen and members of all Trial Committees who heard cases of the appellants to attend the meeting. The absence of any of these shall not, however, delay or affect the appeal.
- 2) Copies of the Findings of the Trial Committee and Decision and Order of the Board of Directors as to each appellant will be distributed to the members in attendance.
- 3) The Executive Director or a member of the Board will read the Findings, etc. as to each appellant before his case is heard. The Board has determined the order of cases to be heard in accordance with their dates of appeal, and alphabetically therein.
- 4) Each appellant shall be allowed 10 minutes for the presentation of his appeal, which may be given in person or by a Current member or members in good standing of the Guild on his behalf. A member of the Trial Committee or the Resident Counsel of the Guild may respond as to factual matters, but not in excess of five minutes.
- 5) Twenty minutes shall then be allowed for discussion by members of each case with each member limited to 2 minutes of speaking time.
- 6) The appellant or his spokesman may, if he so desires, close the discussion with a presentation not longer than 5 minutes.
- 7) Method of Voting will be by secret written ballot containing specific alternatives. Current members in good standing may vote. Appellants may also vote (including appellants in other pending cases). Members of the Trial Committee which heard appellant's case and members of the Board of Directors will not vote. Ballots will of necessity have to be tallied after the meeting and the results will be mailed to the membership. The Constitution provides that a majority vote of the Current members in good standing attending such meeting shall be sufficient to reverse either the findings of the Committee or the Board or to reduce the discipline imposed.

Part of Resp.
12

B A L L O T

SAMPLE BALLOT SAMPLE BALLOT SAMPLE BALLOT SAMPLE BALLOT SAMPLE BALLOT

IN THE CASE OF APPELLANT JOHN DOE

THE DECISION AND ORDER OF THE BOARD IS:

EXPULSION from membership in the Guild.
Fine in the amount of \$30,000.00
Costs of the hearing.

I. IMPORTANT - VOTE FOR ONE ONLY

A. AFFIRM

☐

B. REVERSE

☐

C. REDUCE DISCIPLINE

☐

Note: The Constitution provides: a majority vote of the Current members of the Guild in good standing in attendance at the meeting shall be sufficient to reverse either the Findings of the Committee or to reduce the discipline imposed.

If the vote for reversal is not a majority, the votes for reversal will be counted (together with votes which are to reduce the discipline but not reverse) as votes to reduce the discipline in entirety, i.e., no fine or other penalty.

II. COMPLETE ONLY IF YOU VOTED FOR "C" ABOVE.

A statistical average of the figures voted in 1. below will be binding upon the Board of Directors in reducing the discipline imposed, if there is a majority voting for reverse and reduce discipline.

I PROPOSE THAT THE DISCIPLINE BE REDUCED IN THE FOLLOWING MANNER:

1. Fine and Costs of Hearing

- (a) ☐ Reduce fine to \$20,000
- (b) ☐ Reduce fine to \$15,000
- (c) ☐ Reduce fine to \$10,000
- (d) ☐ Reduce fine to \$ 5,000
- (e) ☐ Impose no fine
- (f) ☐ Other _____
- (g) ☐ Costs of hearing only
- (h) ☐ No costs of hearing

2. Expulsion, Suspension or Censure

- (a) ☐ Expulsion to Suspension for _____ years.
- (b) ☐ Suspension for _____ years.
- (c) ☐ Censure only
- (d) ☐ No expulsion, suspension or censure.
- (e) ☐ Asked to resign.

3. ☐ No penalty.

*part of exp
12*

ONLY COPY AVAILABLE



WRITERS GUILD OF AMERICA, west, Inc.



Affiliated with the Writers Guild of America, east, Inc.

Member of International Writers Guild

8955 BEVERLY BOULEVARD
LOS ANGELES, CALIFORNIA 90048 • CItEStEw 4-8900
Cable: INTWRITER, LOS ANGELES

November 26, 1973

JOHN J. FURIA, JR.
President
FAY KANIN
Vice-President
WILLIAM LUDWIG
Secretary-Treasurer

Dear Member:

BOARD OF DIRECTORS
HERBERT BAKER
JOHN W. BLOCH
JAMES BONNET
NORMAN CORWIN
THEODORE J. FLICKER
JOHN GAY
DAVID HARMON
DAVID KARP
NATE MONASTER
LIAM O'BRIEN
DAVID W. RINTELS
LORENZO SEMPLE, JR.
MELVILLE SHAVELSON
RICHARD ALAN SIMMONS
LEONARD SPIGELGASS
JAMES R. WEBB

MICHAEL H. FRANKLIN
Executive Director
ALAN GRIFFITHS
Assistant Executive Director
LEONARD CHASSMAN
Executive Assistant
JOHN A. MENDONSA
Resident Counsel

DEPARTMENT HEADS
AILEEN BACKOFEN
Finance
BLANCHE BAKER
Registration
MAUREEN D. BEATTIE
Residuals
HELYNE LANDRES
Membership
LOIS McGUIRE
Administration
ELENA THURSTON
Signatories
MARCE M. WHITE
Credits

ALLEN RIVKIN
Public Relations

On November 12, 1973 a meeting was held at the request of nine members who had been disciplined by the Guild for violation of Strike Rules. The sole purpose of the meeting was to present the appeals of these members and to have them acted upon by direct vote of the membership.

This right of appeal and the procedure for it is spelled out in the Guild Constitution (pages 29-30, Section 9 of Article X B). It follows upon the complex and ongoing disciplinary procedures, also outlined in our Constitution, which involve the following.

- 1) Investigation and detailed presentation of a case by the Disciplinary Committee.
- 2) Filing of charges by the Board of Directors and referral to one of several Trial Committees.
- 3) Trial Committee hearing at which the accused is entitled to Counsel, cross examination of witnesses, etc. The Trial Committee prepares its finding, makes a determination of Guilt or Innocence and recommends penalties.
- 4) The Board of Directors reviews these findings and recommendations and renders a final decision.

The ultimate step, at the option of the individual, is an appeal to the general membership.

I detail these steps that you may be reminded of the serious and

(over)

Resp Exhibit 15

Noveml 26, 1973

Page Two

thorough conduct of these proceedings and of the diligent effort in behalf of the membership, while vigorously safeguarding the rights of the individual.

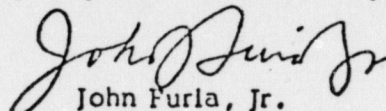
At the membership meeting the first four appeals were presented (Robert Blee, Jon Epstein, John Mantley, Herman Saunders). A secret, written ballot was voted by the current members attending. Besides affirmation of the Board's final action, it offered a series of choices: Reversal; Reduction of fines in five diminishing steps; Options for expulsion, suspension, censure or none of those penalties; a blank for any option not adequately foreseen by the above.

The enclosed sheets show the complete results of that vote. For the appellants who presented their cases fully, (Robert Blee, Jon Epstein, John Mantley, Herman Saunders) these results thus become the final disciplinary action of this Guild.

You will also find the tally on the appeals which were not fully presented, but on which many members voted because of a number of general statements made and views expressed which applied to all. (David Victor, Hugh Benson, Robert Cinader, Barry Crane, David Levinson). As it was quite late, I ruled as Chairman at that meeting, that these votes would be tabulated and announced. In the interests of fairness, I also ruled that any of these latter five cases would have their disciplines reversed if a majority so voted. This, as you can see, was not the result.

At its meeting last Tuesday, November 20, 1973, the Board of Directors voted to reduce the fines in these latter five cases to the amounts indicated on the enclosed tally and to eliminate all other penalties provided that the individual member agrees that such fine would be deemed reduced as if an appeal had been fully heard and concluded; in the event any individual member does not so agree then the fines and penalties heretofore imposed would stand and another meeting would be set at which such member's appeal to the membership would be heard.

I hope I have explained this complex matter satisfactorily. It is equally important to the Guild and to the individuals involved. I also wish to comment on the spirited yet orderly and dignified manner in which all members participated in this vital and democratic procedure. It is inevitable that individuals hold views widely divergent and passionately felt on this matter. It is a tribute to writers and their Guild that they can deal with this fairly, intelligently and democratically.


John Furla, Jr.
President

TABULATION OF VOTES CAST AT MEMBERSHIP MEETING - NOVEMBER 12, 1973

APPELLANT	TOTAL BALLOTS	AFFIRM.	REVERSE	REDUCE	TOTAL REDUCE ^{1/}	MAJORITY ^{2/}	MAJORITY DECISION	FINE STATISTICAL AVERAGE ^{3/}	EXPULSI SUSPENS CENSURE
Robert Biees	216	73	87	56	143	123	yes	\$2,493.25	none
Jon Epstein	218	92	94	32	126	122	yes	200.22	none
John Mantley	214	76	90	48	138	122	yes	3,883.48	none
Ernest Saunders	211	83	102	26	128	122	yes	23.48	none
David Victor	197	76	86	35	121	123	no	3,521.50	none
Hugh Benson	193	81	90	22	112	122	no	19.79	none
Robert Cinader	196	81	88	27	115	123	no	179.40	none
Barry Crane	193	75	87	31	118	123	no	469.70	none
David Levinson	192	74	88	30	118	123	no	622.98	none

^{1/} Total for reduction was arrived at by combining reversal votes (as reducing to no fine and no penalty) with votes for various reductions.

^{2/} See attached sheet for explanation on the computation of majority

^{3/} Computed as indicated in footnote 1 by including votes for reversal as being for no fine.

^{4/} Votes for reversal were combined with those for reduction and treated as votes for reduction without penalty. A majority of all such votes cast were against imposing penalties of expulsion, suspension or censure.

/Over.....

COMPUTATION OF MAJORITY

The majority was determined in each case by taking the total number of Current members in good standing in attendance at the meeting and subtracting from that figure the number of persons from the Board of Directors who were included in the total, the number of persons present from the Trial Committee in each case, and the number of void ballots cast in each case.

APPELLANT	CURRENT MEMBERS IN ATTENDANCE	MEMBERS OF BOARD OF DIRECTORS	MEMBERS OF TRIAL COMMITTEE	NUMBER OF VOID BALLOTS	MAJORITY
Robert Brees	261	13	4	0	123
Jon Epstein	261	13	5	0	122
John Mantley	261	13	4	1	122
Herman Saunders	261	13	4	1	122
David Victor	261	13	4	0	123
Hugh Benson	261	13	4	1	122
Robert Cinader	261	13	4	0	123
Barry Crane	261	13	3	0	123
David Levinson	261	13	3	1	123

AR

ADAMS, RAY & ROSENBERG

9220 Sunset Boulevard, Los Angeles, California 90069 - Telephone CRestview 8-3000

LITERARY AGENTS

November 15, 1972

ONLY COPY AVAILABLE

Miss Billie Gold
 Billie Gold & Associates
 9595 Wilshire Boulevard
 Suite 706
 Beverly Hills, California 90212

Dear Billie:

I have briefly outlined below the conditions under which QM has employed ROBERT BLEES in the capacity of Executive Story Consultant on PARRISH. If you have any comments, please communicate same to me immediately. If I haven't heard from you by mid-week, I'll forward the following information to Mr. Blees for his files.

1. Blees will commence services as of today, November 15, 1972 and will be guaranteed employment for a period of not less than 22 [consecutive] weeks at a rate of \$1,250 per week. Thus, the initial compensation guarantee is \$27,500. *Right to extend to complete his services for the remainder of network or with out date of*
2. QM agrees to notify Blees not later than April 1, 1973 (plus three business days) of its exercise (or non-exercise) of an option described in the next following paragraphs.
 - a. In the event the network requires an extension, QM will have up to April 16, 1973 within which to notify Blees of the exercise of its option.
 - b. In any event, if QM exercises its option, Blees services must commence not later than May 1, 1973.

continued....

Artists' Managers

Respondent's Exh

Miss Billie Gold
November 15, 1972
Page 2

- c. In the event QM exercises the option described above, Blees will be guaranteed employment for 44 ~~consecutive~~ weeks out of 52 weeks at a rate of \$1,250 per week, the compensation guarantee is \$55,000. *OK per LR 11/21/72*

(1) QM will have the right to extend ~~on a week-to-week basis~~ after the 44th week for the completion of Blees' services. *OK per LR 11/21/72*

guaranteed

3. QM will have four ^{consecutive} annual additional options to guarantee Blees employment of 44 out of 52 weeks. The first option pickup date shall be not later than April 1, 1974 (plus three business days) and services must commence not later than May 1, 1974. *OK per LR 11/21/72*

a. Pickup dates and the outside dates for commencement of services for each subsequent optional year will be the same.

b. Blees' compensation will increase in each of the four optional years by \$150 per week. (Thus, the first optional year he will receive \$1,400 per week; the second optional year \$1,550 per week; etc.)

4. QM will contribute 5% of the weekly compensation to the pension fund and QM will provide the normal health and welfare payments. *Such contributions will not exceed WFA maximum.* *OK per LR 11/21/72*

5. Credit will be accorded Blees on a separate card in the end titles as Executive Story Consultant.

7. Any scripts which Mr. Blees may write will be compensated for at "top of the show" and such compensation will be in addition to his weekly salary.

Very sincerely,

LEE
LEE ROSENBERG

LR:br

ONLY COPY AVAILABLE

November 30, 1972

Mr. Lee Rosenberg
Adams, Ray & Rosenberg,
9223 Sunset Boulevard
Los Angeles, California 90069

Re: CM Productions -
Robert Brees

Dear Lee:

In accordance with our recent telephone conversations, following are the changes to which we have agreed in connection with your letter to me of November 15, 1972 regarding the services of Robert Brees as Executive Story Consultant on the series tentatively entitled "Farrish":

Item 1 -

CM will also have the right to extend this initial period in order for Mr. Brees to complete his services for the mid-season network order. However, he will not be required to render services beyond May 1, 1973.

In the fourth line, the word "consecutive" is to be deleted.

Item 2 c. -

In the third line, the word "consecutive" will be deleted.

Item 2 c. (1) -

In the second line, the words "on a week-to-week basis" will be deleted, and in the third line, the word "guaranteed" will be added after "44th".

Mr. Lee Rosenbergs
November 30, 1972
Page 2.

ONLY COPY AVAILABLE

Item 3 -

In the first line, the word "consecutive" will follow the word "four". In the third line, we will add that QM has the same right to extend each such period of employment.

Item 4 -

We have agreed that QM's contributions will not exceed WGA maximum contributions.

Best regards.

Sincerely,

BILLIE GOLD

BGM:

cc: Mr. Quinn Martin
Mr. Howard Alston
Mr. Gerald Wilson
Merrill H. Karpf, Esq.

ONLY COPY AVAILABLE

WGA Cuts Strike Fines, But Hyphenates Protest Payment Would Be Admission Of Guilt

By DAVE KAUFMAN

Hyphenate members of Writers Guild of America West, whose fines for crossing picket lines during last spring's strike have been drastically trimmed by membership, said yesterday that they still will not pay such fines, contending it is

the principle, not the amount of the fine, which prevails.

Apprised of official Guild disclosure of massive reductions of fines, as well as rescinding of expulsions and suspensions which had been ordered by the Guild trial committees and board, majority of the hyphenates said this did not change their positions. Membership had taken the action at a Nov. 12 meeting at which four of the nine presented their cases. There wasn't time for the rest of the presentations.

Results are final in cases of Robert Brees, Jon Epstein, John Mantley and Herman Saunders.

WGAW prexy John Furia Jr. explained the other five would have had disciplinary judgments reversed had the majority so voted, but added this did not occur.

Five are David Victor, Hugh Benson, Robert Cinader, Barry Crane, David Levinson.

However, board last Tuesday (20) voted to reduce fines on the five cases to amounts indicated in vote and to eliminate all other penalties provided the individual member agrees that such fine would be deemed reduced as if an appeal had been fully heard and concluded. In event any member does not so agree then original fines and penalties would stand and another meeting would be set at which such member's appeal to the membership would be heard.

However, most hyphenates involved who were available for comment uniformly stated that they still objected to the assessments in principle, and would not pay.

Mantley's \$50,000 fine plus expulsion was cut to \$3883.48; Victor's \$100,000 and expulsion to \$3521.50; Benson's \$100 and two-year suspension to \$19.79; Crane's \$10,000 and expulsion to \$469.70. None of the expulsions or suspensions were sustained by members.

with acceptance of guilt, something he refuses to do. But the swingover of membership in its voting was "a major step in the right direction," he added.

'Nothing Has Changed'

Cinader, originally fined \$5000 and given a three-year suspension, saw his fine reduced to \$179.40, sans suspension, but declared as had Epstein, that the amount of the fine and nature of the punishment didn't change the principle involved. Guild thinks he is guilty, and he does not, said the producer-writer. Reduction of his fine is like "discounting a car," means nothing from the standpoint of principle, added Cinader. "My own inclination is that nothing has changed, but in view of the fact I am involved in this with other people, I wouldn't want to take an absolute position without consulting them," he said.

Cinader added his understanding is that when a case is on appeal, as is his, he can take the position he won't pay and the Guild would then have to go to court to seek collection.

"I don't know if the Guild is going to go to court. The initiative lies with it. If it chooses not to enforce this in court, I don't know what my legal recourse is so that I can get a legal adjudication of the issue. We are all indemnified anyway, so the amount is not impor-

Resp Exhibit 167

Agency comments: I think it's a step in the right direction, certainly in that they have removed expulsions and suspensions. But I will not pay any fine. I am indemnified by the network (CBS). I would be very surprised if it paid the fine, not that it's a significant amount, but it is the principle involved." Mantley said he was contacting his attorney regarding any possible litigation.

Blees, who initially had been fined \$25,000 and expelled and whose fine is now reduced to \$2493.25, sans expulsion, said he would not pay anything because of the principle involved.

Epstein, who originally was fined \$2000 and expelled, commented he is indemnified by Universal, and it wants to pay the reduced fine of \$200.22 that's the studio's business. However, he added: "I feel even if a fine of \$1 were paid it would indicate some acceptance, some responsibility of guilt, and I have none. I appreciate that cooler heads prevailed, without emotion, at the membership meeting, but I know what we did was moral and right. There is nothing like being a little less guilty."

Epstein said that in his view the membership vote indicated it was aware the Guild had "overstepped" in its disciplinary actions. He said he would like to put the whole matter "to bed," but added the amount of fine has nothing to do

indicate it is in a very weak position. My position hasn't changed. I am almost inclined to pay its legal fees to go to court. We are under the impression the Guild doesn't have the right to get into this jurisdictional matter of writer-producer, that the Guild has no right to discipline us as producers."

Saunders, whose \$100 fine and expulsion, was cut to \$23.48, sans expulsion, commented, "I will not pay the fine. I feel it's an inequity. I don't understand the machinations of the Guild board or trial boards. I feel the fine is wrong regardless of the amount imposed."

Levinson, who had been fined \$10,000 and given a two-year suspension and saw his fine reduced to \$622.98, said he had heard "amnesty" mentioned, but was dead set against it because it implies wrongdoing, something he does not feel he did.

Benson remarked, "I'm most gratified it saw fit to lower the fines. The membership, I imagine, did this because it knew that we nine didn't write." He had no comment on payment of the fine "until I discuss it with my attorney."

Total for reduction was arrived at by combining reversal votes (as reducing to no fine and no penalty) with votes for various reductions. Votes for reversal were combined with those for reduction and treated as votes for reduction sans penalty. A majority of all such votes cast were against imposing penalties of expulsion, suspension or censure.

18

THE HOLLYWOOD REPORTER
Friday, December 7, 1973

WGA ACTS TO POSTPONE HYPHENATE PROSECUTION

By Will Tusher

A dramatic olive branch was extended yesterday to supervisory employees among the 69 members of Writers Guild W. who still face trial and/or sentence for strike violation.

WGA's board of directors made a conditional offer to shelve intra-guild prosecution of all pending cases against hyphenates until a final court ruling — presumably by the U.S. Supreme Court — on unfair labor practices charges filed during the strike by the Assn. of Motion Picture and Television Producers over the guild's claimed right to discipline supervisory employees.

Final round of hearings on the National Labor Relations Board com-

plaint upholding the AMPTP position begins at the Federal Building in Westwood Dec. 12 (Hollywood Reporter 11/28/73). Executive producers, producers, associate producers, directors and story editors are regarded by the WGA as supervisory employees.

Disciplinary action will be deferred against all accused hyphenates who agree to waive statute of limitations or laches (negligence or inordinate delay

in processing charges) while a definitive court disposal is awaited.

"Of course," explained WGA president John J. Furia, in announcing the board's decision, "the guild will proceed in any case where the individual member does not agree to waive the statute of limitation or defense of laches and thereby preserve the guild's right to prosecute the case after a court decision."

In the latter instance, however, a WGA spokesman explained that the guild reserves the option of proceeding immediately in prosecutions of those who refuse waivers.

The gesture is the first official sign of bending by the guild leadership to the mandate for leniency implicit in the reinstatement of nine expelled and suspended hyphenates and the sharp reduction of their fines. (Hollywood Reporter 11/27/73). The issue of fines still is in contention, and may be headed for the courts.

While the WGA reaffirmed its right to discipline supervisory employees, and Furia reminded the membership that it had sanctioned that course, the board took explicit cognizance of the membership appeals vote that restored the disciplined nine to good standing.

Furia, in a letter mailed to guild members today, reveals that WGA legal counsel has advised the board that law suits calculated to collect reduced fines — denounced as illegal by the AMPTP (Hollywood Reporter 11/29/73) — "might be delayed until the NLRB charges against the guild have been determined."

A halt on further legal expenditures — described by Furia as already substantial — will not be "needlessly" made by instituting litigation at this time, he notes. However, he cautions that the WGA will "offer a vigorous legal defense" should any of the disciplined hyphenates sue for reversal of their reduced fines.

Non-supervisory employees charged with strike violation will be prosecuted without delay, Furia stressed.

Furia conceded that the question of WGA jurisdiction over supervisory employees "is one which ultimately must be decided by the courts," and describes the deferred prosecution plans as one designed to serve the guild's "best interest."

Thirty nine disciplinary cases were awaiting trial, 10 were pending before the board, and 20 were yet to be presented to the board by investigatory and disciplinary committees as of Nov. 12. There was no breakdown on how many of the total of 69 are supervisory employees.

Respondent's Exhibit 20

DAILY VARIETY
Friday, December 7, 1973

WGAW Puts Brakes On Actions Against Fined Hyphenates

Issue of the hyphenates and whether or not Writers Guild of America has the right to discipline them will eventually be settled in court, so WGA West board has decided to put the brakes on actions against hyphenates, and not go to court to seek collection of fines imposed on hyphenates for alleged violations of Guild rules during last spring's strike.

That was the essence of a letter sent Guild members by WGAW prexy John Furia Jr., who pointed out there are unfair labor practice charges against the Guild now

pending before the National Labor Relations Board. Charges were filed by Association of Motion Picture & TV Producers, and involve Guild's right to discipline hyphenates (exec producers, producers, associate producers, directors, story eds).

Furia commented, "We believe that we have the right to discipline supervisors, an action which the membership previously affirmed, but the issue is one which ultimately must be decided by the courts."

Board has decided "the best interest of the Guild will be served by proceeding as we have in the past in all of these cases unless the individual member agrees to waive the statute of limitations or laches as a defense. In this event the board will delay further proceedings until a final decision is rendered by the courts on the unfair labor practice charges. Of course the Guild in any case where the individual member does not agree to waive the statute of limitation or defense of laches and thereby preserve the Guild's right to prosecute the case after a court decision." ("Laches" means undue delay in asserting a right).

Furia said board decision affirms its position anent the Guild's right to discipline hyphenates. However, he also noted that in recent hyphenate appeals of their various penalties, the membership erased any expulsions, suspensions or censures, leaving only fines.

Guild legal counsel told the board enforcement via a lawsuit to collect fines in a state court might be delayed until the NLRB charges against Guild have been decided.

Guild legal expenses "which are already substantial will not needlessly be expended by litigation at this time," said Furia. Virtually all nine hyphenates fined have said they will not pay.

Furia said also that some members may file suits of their own against the Guild, in which case WGAW will fight them.

He noted that board action does not apply to anyone but hyphenates, that the Guild will continue without delay on disciplinary matters of writers who are not hyphenates.

Next board meeting will be held Dec. 17.



WRITERS GUILD OF AMERICA, west, Inc.



Affiliated with the Writers Guild of America, east, Inc.

Member of International Writers Guild

8955 PEVERLY BOULEVARD
LOS ANGELES, CALIFORNIA 90048 • CReatview 4-8607
Cable: INTWRITER, LOS ANGELES

20

JOHN J. FURIA, JR.
President
FAY KANIN
Vice-President
WILLIAM LUDWIG
Secretary-Treasurer

December 7, 1973

Dear Member:

BOARD OF DIRECTORS
HERBERT BAKER
JOHN W. BLOCH
JAMES BONNET
NORMAN CORWIN
THEODORE J. FLICKER
JOHN GAY
DAVID HARMON
DAVID KARP
NATE MONASTER
LIAM O'BRIEN
DAVID W. RINTELS
LORENZO SEMPLER, JR.
MELVILLE SHAVELSON
RICHARD ALAN SIMMONS
LEONARD SPIGELGASS
JAMES R. WEBB

MICHAEL H. FRANKLIN
Executive Director
ALAN GRIFFITHS
Assistant
Executive Director
LEONARD CHASSMAN
Executive Assistant
JOHN A. MENDONSA
Resident Counsel

DEPARTMENT HEADS
AILEEN BACKOFEN
Finance
BLANCHE BAKER
Registration
MAUREEN D. BEATTIE
Residuals
HELYNE LANDRES
Membership
LOIS MCGUIRE
Administration
ELENA THURSTON
Signatories
MARGE M. WHITE
Credits

ALLEN RIVKIN
Public Relations

As you know, there are unfair labor practice charges against the Guild now pending before the National Labor Relations Board. These charges involve the Guild's right to discipline supervisory employees (i. e. executive producers, producers, associate producers, directors and story editors). We believe that we have the right to discipline supervisors, an action which the membership previously affirmed, but the issue is one which ultimately must be decided by the courts.

The Board of Directors has decided that the best interest of the Guild will be served by proceeding as we have in the past in all of these cases unless the individual member agrees to waive the statute of limitations or laches as a defense. In this event the Board will delay further proceedings until a final decision is rendered by the courts on the unfair labor practice charges. Of course the Guild will proceed in any case where the individual member does not agree to waive the statute of limitation or defense of laches and thereby preserve the Guild's right to prosecute the case after a court decision.

While the Board's decision is an affirmation of its position in regard to the Guild's right to discipline its supervisory members, it recognizes and takes into consideration the following points:

- 1) In the recent appeals of supervisory employees to the membership, the membership eliminated any penalty of expulsion, suspension or censure, leaving only monetary fines. The Guild legal counsel has advised the Board that enforcement,

(over)

Resp Exhibit

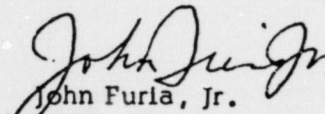
via a law suit to collect fines in a state court, might be delayed until the NLRB charges against the Guild have been determined.

- 2) Guild legal expenses which are already substantial will not needlessly be increased by litigation at this time.

There may be some members who elect to file a law suit of their own against the Guild. In this case, we will of course offer a vigorous legal defense.

The foregoing points have no application to any other charges of discipline which involve non-supervisory personnel. We will continue to pursue these other disciplinary matters without delay.

Sincerely,


John Furia, Jr.
President

JF:meh

ALL EXPULSIONS, SUSPENSIONS VETOED BY WGA

By Will Tusher

21

Six expulsions and three suspensions ordered for alleged strike violations were lifted yesterday as the Writers Guild of America, W. made public results of complicated balloting at the Nov. 12 meeting where the nine disciplined producer-writer hyphenates appealed their convictions to the membership.

Coincidentally, the vote called for a drastic reduction of fines ranging from \$100 to \$50,000.

The show of sentiment for amnesty is widely regarded as a rebuke both to the

WGA board and the trial committees — and conceivably could sharply affect the guild's future course in pending NLRB and potential court action where the WGA has been determined to affirm its claimed jurisdiction over hyphenates even when they are not performing writing functions during a strike.

(Story on mixed reactions to the WGA verdicts on Page 17)

Membership reversal of the sentences meted out for crossing picket lines is attributed largely to sympathy, expressed at the appeals meeting, with the common claim of all appellants that they did not act inimically to WGA interests inasmuch as they assertedly did not do any writing while fulfilling contractual producer duties.

In a surprisingly small vote turnout, the WGA rank-and-file set aside the expulsions of John Mantley, David Victor, Robert Blee, Jon Epstein, Herman Saunders and Barry Crane, and the suspensions of Hugh Benson, Robert Cinader and David Levinson.

Mantley's \$50,000 fine was reduced to \$3,883.48; Victor's \$50,000 levy cut to \$3,521.50; Blee's \$25,000 fine lowered to \$2,493.25; Crane's \$10,000 fine scaled down to \$69.70, and Levinson's \$10,000 fine reduced to \$622.98.

Cinader's \$5,000 fine was rolled back to \$179.40, Epstein's \$2,000 to \$200.22, Saunders' \$100 penalty to \$23.48, Benson's \$100 fine to \$19.79.

Highest number of ballots cast in any single case was that of the 218 on Epstein, a close call where 94 favored reversal, 92 favored affirmation and 32 voted for reduction of penalties.

However, votes for reversal and reduction were combined and tallied as votes for reduction without penalty. In all cases, the majority ruled against imposition of penalties of expulsion, suspension or censure.

The reduced fines against Blee, Epstein, Mantley and Saunders represent final verdicts not subject to further appeal because these four presented their cases in full at the Nov. 12 meeting. The remaining five, whose cases were not fully heard, have the right to appeal the revised verdicts at another membership meeting if they do not acquiesce in the latest decisions.

Results were computed by the same means in all nine cases.

Meanwhile, the WGA disclosed that of 228 strike discipline cases processed to date, 10 more still are pending, and 20 more are yet to be adjudicated on the basis of reports from investigatory and disciplinary committees. One hundred twenty-eight cases have been dismissed, 31 tried, and 39 more are awaiting trial. Of the latter, 22 will be heard in November, December and January, while 14 are to be scheduled and three are to be rescheduled.

Eight dismissals were decreed administratively, 81 by the disciplinary committee, and 39 by the board of directors. There have been 13 guilty verdicts and seven final findings of innocence. One case was dismissed on motion at trial. One trial decision is being drafted, and another is pending before the board. Three are to be presented to the board by the trial committee. Three are awaiting trial committee recommendation, and three are pending before the trial committee.

Subsequent verdicts will be watched closely for evidence of the lenient attitude demonstrated by guild members in reversing all expulsions and suspensions, and sharply scaling down fines.

In a letter to WGA's membership accompanying the official vote tabulation guild president John J. Furia Jr., made no direct comment on the implications of the outcome.

"The ultimate step, at the option of the individual," he noted, "is an appeal to the general membership." He called attention, however, to "the serious and thorough conduct of these proceedings and of the diligent effort in behalf of the membership, while vigorously safeguarding the rights of the individual."

Furia obliquely rejected the view that the reversals constituted a vote of no confidence in the board and the trial committees.

"It is inevitable," he observed, "that individuals hold views widely divergent and passionately felt on this matter. It is a tribute to writers and their guild that they can deal with this fairly intelligently and democratically."

He also praised "the spirited, yet orderly and dignified manner" in which the appeals meeting was conducted. He described the appeals as a "vital and democratic procedure."

ONLY COPY AVAILABLE

Resp Exhibit 187

